

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JOSEPH AMATO,

Defendant.

01-CR-0058-LTS

ORDER

The Court is in receipt of Mr. Amato's letter dated May 27, 2025, again contesting the Financial Litigation Unit's placement of his restitution debt in the Treasury Offset Program ("TOP"). (Docket entry no. 298 ("May 2025 Letter").) In this letter, Mr. Amato also contests the Government's calculation of his monthly payment owed toward his restitution debt, as calculated in the Government's March 7, 2025 Status Report (docket entry no. 296), and argues that the Government improperly included proceeds from his IRA in his total monthly payment. (May 2025 Letter.) Finally, Mr. Amato requests clarification of the Government's position that his 20-year restitution debt will end on May 11, 2029, because Mr. Amato argues the correct calculation of the time since his first restitution payment after his release from prison would have his restitution obligation end "sometime between May 12, 2028, and July 31, 2028." (Id.)

As explained in the Court's March 28, 2025 Order, the Court has found that Mr. Amato's restitution debt was appropriately placed in TOP following a series of delinquent payments. (Docket entry no. 297.) Mr. Amato has not proffered legal or factual information that would provide appropriate grounds for reconsideration of that determination.

The Court does not administer the Treasury Offset Program, nor can it dictate the precise terms on which the Government implements the collection of his outstanding restitution obligation, absent limited circumstances. To the extent that Mr. Amato seeks to contest the

Government's calculation of his payment obligations, he must do so directly with the Financial Litigation Unit and pursuant to such administrative mechanisms as have been established by the Department of Justice.

The Court requests that the Government respond to Mr. Amato with respect to his inquiries regarding the calculation of his monthly payment including proceeds from his IRA and the end date of his restitution obligation and that the Government file a copy of its response on the docket for the Court's records.

SO ORDERED.

Dated: New York, New York
June 9, 2025

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

Copy Mailed To:

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